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|-------------------------------------|---|-----------------------|
| In re Application of | : | |
| STEFFENS et al. | : | |
| Application No.: 10/527,902 | : | DECISION ON PETITION |
| PCT No.: PCT/EP02/10286 | : | UNDER 37 CFR 1.137(b) |
| Int. Filing Date: 13 September 2002 | : | & |
| Priority Date: None | : | REQUEST FOR REFUND |
| Attorney Docket No.: 20020304-2 | : | |
| For: CONTROL OF LASER TUNING | : | |
| VELOCITY | : | |

This decision is in response to applicants' "Petition for Revival of an Application Abandoned Unintentionally under 37 CFR 1.137(b)" filed in the United States Patent and Trademark Office (USPTO) on 02 October 2006. Additionally, this decision is in response to applicants' "Petition for Refund to Deposit Account" filed 02 April 2007.

The petition under 37 CFR 1.137(b) is **GRANTED**.

Applicants' statement that the "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicants have submitted an executed declaration/power of attorney and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

Additionally, applicants request a refund of the extension of time fee charged to Deposit Account no. 16-1350 on 02 October 2006. The extension of time fee is not necessary and applicants are entitled to a refund of \$1590. The request for refund under 37 CFR 1.26 is **GRANTED**.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

A handwritten signature in black ink, appearing to read "Anthony Smith". The signature is written in a cursive style with a large, stylized "A" and "S".

Anthony Smith
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